

To Whom It May Concern:

I'm sure I speak for more than just myself when I say that I object to how COVID vaccination is being handled. Now both a political and emotional subject, I feel that it needs to be addressed at an unbiased level. To be clear, I am not anti-vaccine. I believe high risk individuals SHOULD receive the COVID vaccine and it will save lives. However, I also believe vaccines should be given on a case-by-case basis determined by a risk vs benefit analysis rather than a blanket mandate. So, I'm simply fighting for upholding the liberties upon which this great country was founded, and keeping America as the land of the free. While the pandemic has wreaked havoc worldwide, I truly feel for those who have lost family members and loved ones to this disease. COVID is very real. I understand the civil duties to protect the vulnerable, however, here in this country, COVID-19 has a 98.2% survival rate (1, 2) and most deaths also had underlying health conditions that contributed. On that same topic, since 36 million people in this country contracted COVID with a positive test result (3), why aren't we talking about natural immunity? The human body is a modern marvel and develops antibodies for diseases we come into contact with regularly. In fact, studies show that natural COVID immunity may last for years (4), and a study conducted by Cleveland Clinic Health System shows those who have recovered from COVID are unlikely to benefit from a COVID vaccination (5). Therefore, why is natural immunity being discounted and vaccines forced upon those who have successfully recovered from COVID?

¹ <https://apnews.com/article/fact-checking-970830023526>

² <https://coronavirus.jhu.edu/data/mortality>

³ <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/covidview/index.html>

⁴ https://news.emory.edu/stories/2021/07/covid_survivors_resistance/index.html

⁵ <https://www.medrxiv.org/content/10.1101/2021.06.01.21258176v2>

Some falsely believe that natural immunity is less effective against variants, but vaccination only develops narrow protection against the spike (S) protein of the coronavirus genome, while naturally immune individuals actually develop more antibodies against the entire surface of the virus, including the Nucleocapsid (N) protein, which is “reported to have a slower mutation rate than S, which further reduces susceptibility to SARS-CoV-2 variants” (6). Moreover, “memory antibodies selected over time by natural infection have greater potency and breadth than antibodies elicited by vaccination” and vaccinating recovered COVID individuals provides no “qualitative advantage against variants” (7). This has been proven by a real world medical study in Israel comparing those who were fully vaccinated with Pfizer in January/February 2021 to those who recovered from COVID around the same time but remained unvaccinated. The results show that those fully vaccinated were 6-13 times more likely than an unvaccinated COVID-recovered individual to be infected with SARS-CoV-2, 27 times more likely to have symptomatic COVID-19 disease, and 8 times more likely to be hospitalized (8). Therefore, when natural immunity is proven to provide ample protection against SARS-CoV-2 infection and severe COVID-19 disease, there’s no scientific justification to treat a fully vaccinated individual any different than a COVID-recovered, unvaccinated individual.

There are three COVID vaccine options in the United states currently; The Pfizer vaccine is currently approved by the FDA, and the Moderna and Johnson & Johnson vaccines are still authorized under Emergency Use Authorization (EUA). However, I believe they all should still be considered experimental to individuals who have recovered from COVID as those individuals

⁶ <https://www.cure-hub.com/post/sars-cov-2-vaccines-breakthrough-infections-and-lasting-natural-immunity>

⁷ <https://www.biorxiv.org/content/10.1101/2021.07.29.454333v1>

⁸ <https://www.medrxiv.org/content/10.1101/2021.08.24.21262415v1>

were specifically excluded from all Phase III clinical trials (9). Data from COVID vaccine distribution shows that COVID recovered individuals are actually twice to four times as likely to experience adverse effects from the vaccine (10). Beyond that, “vaccinating individuals who might already have viral antigens in their bodies, at the time they get vaccinated, might trigger a dangerous inflammatory reaction in the tissues where the antigen is localized” (11). With NIH studies showing previous COVID infection is proven to be as effective, if not more effective, than approved vaccines (12), any mandate to vaccinate previously infected COVID patients violates the Fifth Amendment right to refuse unnecessary medical treatment (13) and also presents dangerous health risks. How can America threaten citizens with losing jobs because of a choice that we are allowed to make regarding our own health and wellness under the United States Constitution?

Typically, the answer to this forced vaccination is for the health of the workforce or vulnerable population. Interestingly enough, those that are fully vaccinated are still contracting and transmitting COVID, including 74% of those in MA (14). From the CDC study of this event, the CDC said that COVID vaccination no longer prevents transmission (15). In fact, studies

⁹ <https://clinicaltrials.gov/ct2/show/NCT04904471>

¹⁰ <https://www.medrxiv.org/content/10.1101/2021.04.15.21252192v1>

¹¹ <https://noorchashm.medium.com/the-safest-way-to-get-your-covid-19-vaccine-screenb4vaccine-d8a9b0bb7cbd>

¹² <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7989568/>

¹³ https://constitution.congress.gov/browse/essay/amdt5_4_5_2_5_1

¹⁴ <https://www.cnn.com/2021/07/30/cdc-study-shows-74percent-of-people-infected-in-massachusetts-covid-outbreak-were-fully-vaccinated.html>

¹⁵ https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w

conducted by Pfizer have shown a 39% efficacy rate against infection after 6 months ⁽¹⁶⁾ and loss of efficacy by 7% every 2 months, meaning full vaccination is less effective than once thought and vaccine immunity wanes with time and may not last more than a year. CDC's own study shows that breakthrough infection is probable, as 70% of fully vaccinated individuals tested positive for SARS-CoV-2 infection in a Texas prison ⁽¹⁷⁾. The counterpoint for vaccination even though breakthrough cases are possible is that vaccinated individuals are at a much lower risk for severe COVID illness. While that is true, those who have recovered from COVID also are low risk for severe illness if reinfected and "estimated protection against reinfection in this study is similar to that of the BNT162b2 Pfizer vaccine" ⁽¹⁸⁾. So, if an individual has survived COVID and has no risk of future severe illness, what is the benefit of being vaccinated if the vaccinated can transmit the disease as well? How is remaining unvaccinated as a COVID survivor a health threat to others? Even the European Union has recognized "a record of previous infection" as a substitute for any vaccine passport requirements—treating natural immunity and vaccine immunity equally ⁽¹⁹⁾.

A study conducted by NIH shows that vaccinated individuals have a high likelihood to be asymptomatic and still carry and transmit infection to others unknowingly as the vaccine prevents COVID-19 disease, not SARS-CoV-2 infection ⁽²⁰⁾. If President Biden's Executive Order to Protect the Federal Workforce is indeed about safety and preventing transmission and spread of SARS-COV-2, mandating vaccination will not accomplish that as testing policies are

¹⁶ <https://www.forbes.com/sites/roberthart/2021/07/23/pfizer-shot-just-39-effective-against-delta-infection-but-largely-prevents-severe-illness-israel-study-suggests>

¹⁷ <https://www.cdc.gov/mmwr/volumes/70/wr/mm7038e3.htm>

¹⁸ <https://www.medrxiv.org/content/10.1101/2021.07.28.21261086v1.full.pdf>

¹⁹ <https://politi.co/3f9AZzS>

²⁰ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8250045/>

not in place for vaccinated individuals who are likely to transmit COVID in a more dangerous sense— asymptotically. Since viral loads of vaccinated individuals who become infected are the same as unvaccinated infected persons ⁽²¹⁾, tailoring health policies based on vaccine status is unfounded, and frankly, discriminatory. For that reason, this feels like societal pressure from the Government to sway the choice to vaccinate in favor of doing so, even though it will provide little to no benefit to the individual themselves if they are a COVID survivor or low risk individual ⁽²²⁾. If someone who is high risk chooses to not receive the vaccine, I disagree with that approach, but it is their own freedom of choice.

I understand the push to get as many people vaccinated or introduced to SARS-COV-2 as quickly as possible to reach a state of herd immunity to end this nightmare, but the idea that the country can eradicate this disease completely by pushing vaccine mandates is practically impossible. 90% of immunology experts agree that SARS-COV-2 will become an endemic, similar to influenza and other common human coronaviruses due in part to its ability to exist in animal reservoirs and the fact that COVID vaccines lack the ability to prevent transmission ⁽²³⁾. Beyond that, “rapid and unpredictable mutation of RNA viruses means it will be difficult to keep vaccine design and production on pace with viral evolution. This raises questions about a vaccine's ability to offer full, long term protection against SARS-CoV-2 variants, even with booster shots” ⁽²⁴⁾. SARS-COV-2 will eventually becomes a mild coronavirus like all others that exist among us.

²¹ <https://www.bmj.com/content/374/bmj.n2074>

²² <https://www.medrxiv.org/content/10.1101/2021.06.01.21258176v2>

²³ <https://www.nature.com/articles/d41586-021-00396-2>

²⁴ <https://www.cure-hub.com/post/sars-cov-2-vaccines-breakthrough-infections-and-lasting-natural-immunity>

The Declaration of Independence states that "Governments are instituted among Men, deriving their just powers from the consent of the governed, -- That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or abolish it". It certainly feels as though American civil liberties are being infringed upon at this point in time with the pressure to vaccinate and division between policies for unvaccinated and vaccinated populations. Until natural immunity is recognized as a status, and those who choose to remain unvaccinated aren't forced out of their jobs and denied entry into various places, how can America remain a free country? Something needs to be done to recognize the validity of those who are choosing to exercise their own rights as Americans vs shaming and forcing citizens to comply. The Supreme Court has recognized that the Ninth and Fourteenth Amendments protect an individual's right to privacy. A "forcible injection ... into a non-consenting person's body represents a substantial interference with that person's liberty[.]" *Washington v. Harper*, 494 U.S. 210, 229 (1990). Mandating vaccination is going against subsequent Supreme Court decisions that have made explicit that the Constitution protects a person's right to "refus[e] unwanted medical care." *Cruzan*, 497 U.S. at 278; *King v. Rubenstein*, 825 F.3d 206, 222 (4th Cir. 2016). Doing otherwise is not democratic Government; that is dictatorship.